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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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09/130,818 08/07/98 TANAKA

EXAMINER

LM02/0919

LOEB & LOEB
10100 SANTA MONICA BLVD
SUITE 2200
LOS ANGELES CA 90067-4164

ART UNIT	PAPER NUMBER
ROBERTSON, D	8

DATE MAILED:

09/19/00

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 7/14/2000

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-22 is/are pending in the application.
Of the above, claim(s) 1-9, 13-16 & 22 is/are withdrawn from consideration.
☐ Claim(s) _____ is/are allowed.
☒ Claim(s) 10-12 & 17-21 is/are rejected.
☐ Claim(s) _____ is/are objected to.
☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
☐ The specification is objected to by the Examiner.
☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been:
☐ received.
☐ received in Application No. (Series Code/Serial Number) _____
☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
☐ Interview Summary, PTO-413
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
☐ Notice of Informal Patent Application, PTO-152

—SEE OFFICE ACTION ON THE FOLLOWING PAGES—

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The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The drawings filed August 7, 1998 have been approved by the Office draftsman. However, the drawings are objected to for the following reasons:

- Figures 1-19 must be designated by a legend such as "Prior Art" in order to clarify what is applicant's invention (see M.P.E.P. § 608.02(g)).
- Figure 12 is referred to in the specification as "FIGS. 12(a) and 12(b)" but there is only one figure (see page 5, line 35-page 6, line 1).

Applicant is required to submit a proposed drawing correction in response to this Office action. However, correction of the noted defect can be deferred until the application is allowed by the examiner.

The disclosure is objected to because of the following informalities:

- Page 1, line 14, etc., "digital steel camera" is incorrect.
- Page 1, line 26, etc., "minimum unit of erase" is grammatically deficient.
- Page 1, lines 34+, refers to "logical blocks" but figure 3 reads "Physical Block".
- Page 2, lines 1-2, "data are managed every sector" is grammatically incorrect.
- Page 2, lines 4-5, "to basically carry out data management every 512 bytes" is unclear.
- Page 2, line 5, "concrete" is idiomatically incorrect.
- Page 2, line 13, "are open to a user" is not understood.
- Page 2, lines 15-16, etc., the meanings of "normal" and "abnormal" are not clear.

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- Page 2, lines 22-23, “the same values for all the data are written in the same block” is not understood.
- Page 3, line 36, “are” should be —is—.
- Page 4, lines 7-8 are not clear, the specification does not appear to match the figure where the table offset seems to represent the logical address.
- Page 4, line 16, “a general purpose CUP usually used well” [*sic*] is not understood.
- Page 4, lines 19-22, “and system configuration can not be carried out only by means...” is inscrutable.
- Page 4, line 34, “1-Gbit period” is not clear.
- Page 5, lines 18-23, “Since the method...is pressed” is inscrutable.
- Page 5, line 26, “in a lump every page” is idiomatically incorrect.
- Page 6, lines 3-4, “Even if the file size...cluster is occupied” is not understood.
- Page 6, lines 11-12, “In order to...every cluster” is technically incorrect.
- Page 7, line 19, etc., “carried out as an actual device” is incorrect.
- Page 10, lines 6-17 are not understood, particularly in view of the reference to figures 17 and 18. While the ordinate is labeled, the meaning is unclear. Further, the abscissa is not labeled and its significance is not discernable.

The remainder of the specification is equally flawed, and should be carefully reviewed by someone proficient in the English language. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant’s

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cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Additionally, the disclosure must now be amended and revised to correct inaccuracies of description and definition, and to secure substantial correspondence between the claims, the remainder of the specification and the drawings as required, see 37 C.F.R. § 1.121(5). More particularly, the subject matter claimed is described in the specification from page 30, line 31 to page 31, line 32; from page 33, line 2 to page 34, line 26 and from page 44, line 9 to page 52, line 13. Applicants have elected without traverse to prosecute the subject matter of claims 10-12 and 17-21. The remainder of the specification does not substantially correspond to the subject matter of said elected claims. The specification should be amended to remove the subject matter which does not bear substantial correspondence to the elected claims.

Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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Claims 10-12 and 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by applicants' admitted prior art. Applicants' description of the prior art, found on pages 1-9 of the specification, anticipates the claims. The generation of the address translation table at power-up is understood.

Claims 10-12 and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hasbun *et al.* The Hasbun reference teaches a memory system where logical addresses are mapped to physical block areas in a translation table (SHTT) and each sector (block) of said area includes a corresponding redundant division (BSTT) and to locate a particular logical sector (block), the logical address in the SHTT points to a physical area and the redundant data corresponding to the physical sectors (blocks) are referred to (the BSTT) to see which of the data sectors in the area corresponds to the sought address. The reference further teaches:

Both FLASH array database 93 and SHTT 94 must be generated during power-up because they are stored in volatile memory, RAM, and because reads and writes depend upon these 93 and 94. FIG. 5 illustrates an algorithm to build both FLASH array database 93 and SHTT 94. Using this algorithm both SHTT 94 and the FLASH array database 93 are generated by scanning each BSTT 84. The location of the header associated with each sector number is noted, as well as the amount of free and dirty memory within the block.

Claims 19-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants are reminded of 37 C.F.R. 1.75 (d)(1) which states that the claim or claims must conform to the invention as set forth in the remainder of the specification and the terms and phrases used in the claims must find clear support or antecedent basis in the description

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so that the meaning of the terms in the claims may be ascertainable by reference to the description. (See 1.58(a).) In claim 19, lines 17-19, "data in a predetermined address of said logical block are stored in said predetermined area" is not understood. It is not clear what data exists in the "predetermined address" nor is it clear what the "predetermined area" refers to. Additionally, there is no step of predetermining recited. Lines 20-21 recite "forming an address translation table corresponding to said predetermined area" is not understood. Further, the deciding criteria for the "if necessary" of lines 22-23 has not been pointed out. In claim 20, the meaning of line 15, "ensuring an area" is not clear and lacks antecedent basis in the specification. In lines 17-18, the step of "searching said object area of physical blocks" has also not been described sufficiently to particularly point out the subject matter of the invention, nor is the timing, i.e., "in every memory access time" clear. Further, "said object area" lacks proper antecedent basis. In claim 21, line 7, "said functions" (plural) is not understood since there exists antecedent basis for but one function.

Due to the ambiguities and confusion in claims 19-21, no art has been applied thereto, see *In re Steele*, 49 CCPA 1295, 305 F.2d 859, 134 USPQ 292 (1962) and *In re Wilson*, 424 F.2d 1382, 165 USPQ 494 (CCPA 1970). The examiner will not speculate as to the intended meaning.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

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Or:

(703) 305-9731 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the technology center receptionist whose telephone number is **(703) 305-9600**.

Direct any inquiries concerning drawing review to the Drawing Review Branch (703) 305-8404.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David L. Robertson whose telephone number is (703) 305-3825.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Do Yoo, can be reached at 308-4908. The fax number for this technology center is (703) 305-9564. **The fax number for art unit 2759 is (703) 305-9731.**

Communications which are not application specific may also be posted on e-mail at *David.Robertson@USPTO.gov*.



DAVID L. ROBERTSON
PRIMARY EXAMINER
ART UNIT 2759